

HOUSE BILL 2638
By Cochran

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 13, relative to the sale and
purchase of firearms.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1316, is amended by deleting the section in its entirety and substituting instead the following:

(a)

(1) Any person appropriately licensed by the federal government may stock and sell firearms to persons desiring them; however, sales to persons who have been convicted of the offense of stalking, as prohibited by § 39-17-315, who are addicted to alcohol and sales to persons ineligible to receive them under 18 U.S.C. § 922 are prohibited.

(2) The provisions of subsection (a) prohibiting the sale of a firearm to a person convicted of a felony shall not apply if:

(A) Such person was pardoned for the offense;

(B) The conviction has been expunged or set aside; or

(C) The person's civil rights have been restored pursuant to title 40, chapter 29; and

(D) The person is not prohibited from possessing a firearm by the provisions of § 39-17-1307.

(b) Except with respect to transactions between persons licensed as dealers under 18 U.S.C. § 923, a gun dealer shall comply with the applicable provisions of federal law before a firearm is delivered to a purchaser.

(c)

(1) As used in this section, "firearm" has the meaning as defined in § 39-11-106, including handguns, long guns, and all other weapons which meet the definition except "antique firearms" as defined in 18 U.S.C. § 921.

(2) As used in this section, "gun dealer" means a person engaged in the business, as defined in 18 U.S.C. § 921, of selling, leasing, or otherwise transferring a firearm, whether the person is a retail dealer, pawnbroker, or otherwise.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.